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DE RUEHLP #2658/01 2752011
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FM AMEMBASSY LA PAZ
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INFO RUEHAC/AMEMBASSY ASUNCION 7107
RUEHBO/AMEMBASSY BOGOTA 4479
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RUEHCV/AMEMBASSY CARACAS 2829
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RUEHPE/AMEMBASSY LIMA 3018
RUEHMD/AMEMBASSY MADRID 3601
RUEHMN/AMEMBASSY MONTEVIDEO 4877
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C O N F I D E N T I A L LA PAZ 002658

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E.O. 12958: DECL: 10/02/2023
TAGS: [BL](#) [PGOV](#) [PHUM](#) [PINR](#) [PREL](#)
SUBJECT: STUDENT DEAD IN POSSIBLE NEW HUMAN RIGHTS CASE

REF: A. LA PAZ 96
[1](#)B. 2006 LA PAZ 2860

Classified By: EcoPol chief Mike Hammer for reasons 1.4 (b) and (d).

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Summary
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[1](#)1. (SBU) A September 28 clash between student protesters and security forces left one student dead (Osmar Flores

Torres) and four others wounded in the Arani province of Cochabamba. The students (or normalistas) were threatening to disrupt a gas pipeline if their demand for a new school was not met. According to civilian, police and military officials, security forces (200 police and 500 military) were not carrying lethal weapons. Military and civilian authorities will be conducting separate investigations. Embassy contacts, who have long-held doubts about the military, have expressed concerns about the military's investigation. A speedy resolution to this case is not likely, as politics are already involved. President Evo Morales and his long-time political opponent Cochabamba Prefect Manfred Reyes Villa have each accused the other of orchestrating the events that led to Flores' death. This case also follows the pattern of Bolivian governments allowing events to escalate too far before serious negotiations are held. Following Flores' death, the government acquiesced to some of the Arani students' demands.
End Summary.

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Background
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[1](#)2. (U) Twenty-one year old Osmar Flores Torres was shot and killed on September 28 in a clash with security forces in the Arani province of Cochabamba, four others were wounded. Flores was part of a group of "normalistas" (students in training to be teachers) -- some estimate as many as 800 --

who were protesting for their school to be moved closer to Arani. The normalistas were attempting to shut-off valves on a natural gas pipeline. The government sent in a combined force of police and military to secure the pipeline. According to news reports, a combined force of 200 police and 500 military officers were in Arani.

¶3. (U) The Commander of the 7th Division Hernando Nunez del Prado, the military unit present at Arani on September 28, states that his forces were not carrying lethal arms. In a news report with the TV channel Bolivision, on October 1, he stated " . . . the soldiers did not have lethal munitions. We used tear gas and non-lethal munitions . . . I am certain that not one single (soldier) fired (a lethal round), not one single instructor." Police Commandant Miguel Vasquez also claims his units used non-lethal force. Nonetheless, rumors are that the bullet that killed Flores was 7.62 caliber (a caliber used by the military but available to the police and civilians). However, Cochabamba newspaper Los Tiempos reported that the forensics examiner Miriam Rocabado told one of its reporters that the bullet that killed Flores was not in his body, so the caliber would be difficult to determine. According to the report, Rocabado estimates the shooter was approximately 50 meters away from Flores. A formal autopsy and forensics report is not yet available.

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The President Said, the Prefect Said
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¶4. (U) President Evo Morales has accused Cochabamba Prefect Manfred Reyes Villa of planting "groups of infiltrators" into the "normalistas" group to provoke the conflict. Reyes Villa via an advisor pointed out that Arani's mayor is from Morales, Movement Toward Socialism (MAS) party, and stated that it must have been the president's order that instigated the violence and Flores death. Morales and Reyes Villa are long time political opponents. Reyes Villa recently called for Morales to resign. In January 2007, protesters calling for the prefects resignation -- who drew support from the president -- sparked a week of violent conflict when they burned the prefecture building on January 8. The January conflicts resulted in three deaths (reftel A).

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The Investigations Begin
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¶5. (U) Commander of the Armed Forces General Wilfredo Vargas has stated the military will convene a special investigatory commission. Cochabamba's chief public prosecutor Cesar Cartegena states his office will have its own team of investigators, led by prosecutor Orlando Zambrana. Perhaps trying to prevent the perception of influencing the investigation, General Vargas stated, "We will not interfere in the other investigations which are being conducted because we work independently from the Public Ministry (Attorney General's office)."

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A Little Inside Information
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¶6. (C) Emboff spoke to Colonel Humberto Vargas (no relation to General Vargas), in the military high command's human rights office on October 2. He confirmed that the military will convene a special commission of three investigators, one investigator per branch of service (army, navy, and airforce). He pointed out the military does indeed use 7.62 caliber firearms, but that police or one of the normalistas could have been carrying a 7.62 caliber weapon. Vargas stated that the special commission's mandate will be to question the soldiers involved in the event and determine who (if any of them) had lethal weapons, and if the weapons were fired.

¶7. (C) Emboff also spoke to Kathryn Ledebur of the Cochabamba-based Andean Information Network (AIN) on October

¶2. (Note: AIN has in the past been critical of U.S. policy in Bolivia and U.S. efforts to support human rights. End Note). Ledebur stated she had not begun investigating the case yet as it is still very early. However, she did voice concern over the military's special investigatory commission, which she argued is a common military tactic and usually does not aid the civilian investigation. Ledebur mentioned that the Morales administration's accusation of an "infiltrator" within the normalistas is irrelevant, arguing that even if there was an infiltrator this would not give the government the right to use lethal force. Ledebur stated she would share her findings with Emboff when she had them.

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Reactions To Other Human Rights Cases
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¶8. (C) Ledebur also commented on other cases. With regards to the October 2003 cases, Ledebur stated she was encouraged that the military had given an order to cooperate with the special prosecutor Milton Mendoza, and said that while she would not characterize this as complete cooperation but that it did indicate "greater openness" and at a least a "minimum of cooperation." Finally, Ledebur commented that she was frustrated by the Morales, government record on human rights (involving the military), stating that it was no different than previous administrations; she went so far as to compare the current administration to the Banzer administration. She specifically noted Minister of Defense Walker San Miguel's lack of cooperation in human rights cases. (Note: Ledebur's comment about San Miguel followed a discussion about the June 2006 death of Santiago Orocondo. End Note).

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Comment
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¶9. (C) Following the violence on September 28, the government acquiesced to many of the normalistas demands, agreeing to open a "polytechnic" school in Arani. Unfortunately, it took Osmar Flores' death for this agreement to be reached. This scenario - a tragic and preventable death -- is far too commonly the impetus for Bolivian negotiations. The October 2006 conflicts in Huanuni, which resulted in 12 dead, are another example (reftel B).

¶10. (C) This case has the potential to become a political hot potato. The president and the prefect have already exchanged barbs and each will likely continue to point an accusatory finger at the other as investigations progress. The military and police once again find themselves as the center of attention. In the current political environment where the roles of the police and the military are under scrutiny by the Constituent Assembly and the Morales administration, neither institution is likely inclined to cooperate much in the other's investigation to determine who is responsible for Flores' death. Since October 2003, the military has stated it does not use lethal fire unless ordered by the civilian authorities, but all authorities involved deny ever ordering lethal fire. In fact, some critics are already drawing comparisons between Arani and the events that led up to President Gonzalo (Goni) Sanchez de Lozada's ouster in October 2003. Catholic priest Eduardo Perez on the church-run FIDES radio network stated, "This (Arani) is Sanchez de Lozada II." Opposition deputy Fernando Messmer made a similar comparison. While the comparison may be a bit extreme, if the October 2003 cases are at all indicative, it could be a long time (if ever) before we know the "why and the how" of Osmar Flores' death. End Comment.
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